

MEETING MINUTES OF MAYOR AND COUNCIL OF HIGH BRIDGE BOROUGH

MEETING DATE: September 10, 2015 **MEETING TIME:** 7:30PM to 8:38PM
MEETING PLACE: High Bridge Firehouse 7 Maryland Ave.

Actual meeting may contain discussion of items not mentioned on the agenda and alternatively any items specifically listed may be omitted.

1. CALL TO ORDER:

Mayor calls meeting to order and makes the following statement: "Pursuant to the Open Public Meetings Act, notice of 2015 Meeting Dates was published in the Hunterdon County Democrat on January 1, 2015, Noticed in the Express Times on January 15, 2015, and posted on the bulletin board at Borough Hall. Action may be taken."

2. FLAG SALUTE: Led by Mayor or Presiding Officer.

3. ROLL CALL:

| | | | | | | | | | | | | | | |
|----------------|---|---------|---|--------|---|---------|---|---------|---|--------------------|---|--------------|---|--|
| Roll Call Vote | | | | | | | | | | P=Present A=Absent | | | | |
| Hughes | P | Scarcia | P | Shipps | P | Stemple | P | Strange | P | Zappa | P | Mayor Desire | P | |

Seven members of the public including press were present. Also present were Administrator John Gregory, Deputy Clerk Adam Young, Attorney Barry Goodman, and Chief Bartman.

4. READING AND APPROVAL OF MINUTES:

MOTION TO DISPENSE WITH THE READING OF PRIOR MEETING MINUTES FOR:

Regular Meeting Minutes May 7 & 28, June 11, & July 16 2015

| | | | | | | | | | | | | | | | |
|--------------------|---|---------|---|---------|---|---------|---|-----------------------------------|---|-------|---|---------|--|--|--|
| Motion to Approve: | | | | Scarcia | | | | Second: | | | | Strange | | | |
| Roll Call Vote | | | | | | | | Y=Yes; N=No; A=Abstain; At=Absent | | | | | | | |
| Hughes | Y | Scarcia | Y | Shipps | Y | Stemple | Y | Strange | Y | Zappa | Y | | | | |

6 ayes, motion passes

MOTION TO APPROVE OR CORRECT PRIOR MEETING MINUTES:

Regular Meeting Minutes May 7 & 28, June 11, & July 16 2015

| | | | | | | | | | | | | | | | |
|--------------------------|---|---------|---|---------|---|---------|---|-----------------------------------|---|-------|---|--------|--|--|--|
| Motion to Amend/Approve: | | | | Stemple | | | | Second: | | | | Hughes | | | |
| Roll Call Vote | | | | | | | | Y=Yes; N=No; A=Abstain; At=Absent | | | | | | | |
| Hughes | Y | Scarcia | Y | Shipps | Y | Stemple | Y | Strange | Y | Zappa | Y | | | | |

6 ayes, motion passes

Executive Session meeting minutes of October 23, & November 20, 2014 & January 22, & February 12, 2015

| | | | | | | | | | | | | | | | |
|--------------------|---|---------|---|---------|---|---------|---|-----------------------------------|---|-------|---|---------|--|--|--|
| Motion to approve: | | | | Stemple | | | | Second: | | | | Strange | | | |
| Roll Call Vote | | | | | | | | Y=Yes; N=No; A=Abstain; At=Absent | | | | | | | |
| Hughes | Y | Scarcia | Y | Shipps | Y | Stemple | Y | Strange | Y | Zappa | Y | | | | |

Councilwoman Scarcia abstains from the October 23rd vote to approve executive minutes.
 Councilwoman Shipps abstains from the October 23rd and November 20th vote to approve executive minutes.
 Councilman Strange abstains from the October 23rd vote to approve executive minutes.
 Councilman Zappa abstains from the October 23rd and November 20th vote to approve executive minutes.

5. VISITORS: None at this time.

6. PUBLIC COMMENTS:

It is the policy of the Borough Council that all public comments on an issue shall be limited to five (5) minutes per person and no person may make more than one (1) comment per subject. Comments may be made on any subject pertaining to Borough issues. Comments pertaining to Public Hearings should be saved for that section of the agenda. No debating between residents. Comments should be addressed to Mayor and Council at the public microphone.

Michele Schwartz thanks Councilman Strange for painting the soccer field container. She relates that her husband thanks Mike Hann for his contributions and work as well.

Mike Gronsky believes the new Borough Hall project has had many issues and mistakes and went on to list these. Mr. Gronsky went on to ask a series of questions about the new project as it pertains to project implementation, record storage, building space, A.D.A compliance, renovation possibilities, the perception of moving off of Main Street, and economic consequences. Councilman Stemple replied that physical record retention is the bygone days of storage and that record retention is done electronically, that the current Borough Hall building cannot be sold until there is a new one to move to, and agrees that this has not been the smoothest process. Mayor Desire recounted past issues with the Police Department building and the need to not repeat these mistakes, the benefit of putting another building on the tax rolls, and making Borough Hall A.D.A. compliant, current issues with Borough Hall efficiency. Discussion ensued.

Christina Whited noted that it appeared water was turned off in the Commons. Councilwoman Hughes commented that it was turned off because of a leak. Administrator Gregory explained the leak and that the

spigot is being repaired. Christina also asked about dust deterrent in the Commons and suggested a “please drive slowly” sign.

John Valenta supports the new Borough Hall. He notes that he is worried that he is affected by the newly proposed truck weight Ordinance. Administrator Gregory noted that local deliveries are exempt. Discussion of truck weight and engine braking without a muffler ensued.

7. CONSENT AGENDA:

All matters listed under the Consent Agenda are considered to be routine by the Borough Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent Agenda and will be considered separately.

| RESOLUTION # | TITLE | PURPOSE |
|--|--|---|
| <u>179-2015</u> | Award of Contract Dosch King | Chip Seal Silverthorne, Wilson, and Mine |
| <u>180-2015</u> | Approve Social Affairs Permit | Califon Fire permit to distribute alcohol |
| <u>181-2015:</u> | Approve Temp Food Handlers Permit | For the distribution of food on Community day |
| <u>182-2015:</u> | Amend contract reclamation | To cover the extension of an additional 238 sq. yd. |
| <u>183-2015</u> | Award of Contract for SCBA under State Co-op | Provides for the purchase of air packs for the fire department in the amount of \$67,000 |
| <u>184-2015</u> | Request extension of DOT grant | To request the extension of the Cregar Rd Phase 5 grant and combine it with Phase 6 to start construction early summer 2016 |
| <u>185-2015</u> | Authorize Lien Redemption | Provides for the payment of tax sale certificates that have been paid off by the owner responsible for the property |
| <u>186-2015</u> | Removal of Charles Thomas Richards from the Planning Board | Vacant Property registration received, no longer resident of the Borough |
| Motion to Approve Resolutions 179 - 186: | Hughes | Second: Stemple |
| Roll Call Vote | | |
| Y=Yes; N=No; A=Abstain; At=Absent | | |
| Hughes | Y | Scarcia Y Shipps Y Stemple Y Strange Y Zappa Y |

6 ayes, motion passes.

Questions and Comments: Councilwoman Scarcia asked for an explanation of Resolution 186-2015. Administrator Gregory discussed the situation of having a Planning Board member who has registered their property as vacant.

8. COUNCIL COMMITTEE AND SPECIAL ASSIGNMENT: Monthly Report

Next reports due September 24, 2015

| <u>Governing Body Member or Appointed Official</u> | <u>DEPARTMENT</u> |
|--|---|
| Councilman Zappa | <u>Planning & Engineering</u> |
| Councilwoman Hughes | <u>Public Health, Environmental, Solid Waste / Recycling, Open Space, & Cultural & Heritage</u> |
| Councilwoman Scarcia | <u>Information, Economic Development, Events</u> |
| Councilman Strange | <u>Emergency Services, Education & Municipal Court-</u> |
| Councilwoman Shipps | <u>Department Of Public Works & Recreation</u> |
| Councilman Stemple | <u>Finance & Golf</u> |
| John Gregory | <u>Administrator’s Report:</u> |
| Mayor Mark Desire | <u>Executive Services</u> |

9. WRITTEN COMMUNICATIONS:

- A. Summary of Violation by the State Fire Marshal for 100 W. Main St.
- B. Final Notice of Violation Issued By Borough Admin
- C. Request by Board Chairman

10. NEW BUSINESS:

A. World Trade Center Piece, Mayor Desire presented World Trade Center Piece and talk about the plans for displaying at Community Day and at the School.

B. Community Day, Councilwoman Scarcia talked about community day and the events planned, she also mentioned the Paint Out on October 3 agenda amended to discuss Paint Out and the SBA Seminar.

| | | | | | | | | | | | | |
|---|---------|---------|---|-------|---------|-----------------------------------|---|---------|---------|-------|---|--|
| Motion to amend agenda to include further topics for new business, section B: | Scarcia | | | | Second: | | | | Strange | | | |
| Roll Call Vote | | | | | | Y=Yes; N=No; A=Abstain; At=Absent | | | | | | |
| Hughes | Y | Scarcia | Y | Shipp | Y | Stemple | Y | Strange | Y | Zappa | Y | |

6 ayes, motion passes.

Discussion continued about the plans for the SBA Seminar on September 30th

11. UNFINISHED BUSINESS: None at this time.

12. NEW ORDINANCES: None at this time.

13. PUBLIC HEARING: 2ND READINGS.

A. Mayor Desire asks for a motion to open the Public Hearing on Ordinance #2015-09

**ORDINANCE 2015-09
BOROUGH OF HIGH BRIDGE
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

ORDINANCE TO ADOPT REVISED ZONING MAP

| | | | | | | | | | | | |
|-----------------|---|---------|---|-------|---------|-----------------------------------|---|---------|-------|-------|---|
| <i>PURPOSE:</i> | <i>Map has been revised for 2015 to reflect ordinances passed by Council over the preceding years and show the current zoning for the Borough</i> | | | | | | | | | | |
| Motion to Open: | Stemple | | | | Second: | | | | Zappa | | |
| Roll Call Vote | | | | | | Y=Yes; N=No; A=Abstain; At=Absent | | | | | |
| Hughes | Y | Scarcia | Y | Shipp | Y | Stemple | Y | Strange | Y | Zappa | Y |

Questions and Comments: Administrator Gregory noted that this brings our map up to conforming standards. Michele Schwartz asked if the new Borough Hall area has been assessed by FEMA. Mr. Gregory says that the assessment has been done.

Mayor Desire asks for a motion to close the Public Hearing on Ordinance #2015-09

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|------------------|---------|---------|---|-------|---------|-----------------------------------|---|---------|---------|-------|---|
| Motion to close: | Stemple | | | | Second: | | | | Strange | | |
| Roll Call Vote | | | | | | Y=Yes; N=No; A=Abstain; At=Absent | | | | | |
| Hughes | Y | Scarcia | Y | Shipp | Y | Stemple | Y | Strange | Y | Zappa | Y |

6 ayes, motion passes

Mayor Desire asks for a motion to adopt Ordinance# 2015-09.

| | | | | | | | | | | | |
|------------------|---------|---------|---|-------|---------|-----------------------------------|---|---------|-------|-------|---|
| Motion to adopt: | Stemple | | | | Second: | | | | Zappa | | |
| Roll Call Vote | | | | | | Y=Yes; N=No; A=Abstain; At=Absent | | | | | |
| Hughes | Y | Scarcia | Y | Shipp | Y | Stemple | Y | Strange | Y | Zappa | Y |

6 ayes, motion passes

Mayor Desire asks for a motion to adopt Ordinance# 2015-09 and states that Ordinance # 2015-09 shall be published by title only in the Express Times and/or Hunterdon County Democrat according to law.

B. Motion to amend agenda to amend Ordinance 2015-30 to allow for safety concerns and to include Mill St. To be added to September 24th agenda.

| | | | | | | | | | | | |
|-------------------------|---------|---------|---|-------|---------|-----------------------------------|---|---------|-------|-------|---|
| Motion to amend agenda: | Stemple | | | | Second: | | | | Zappa | | |
| Roll Call Vote | | | | | | Y=Yes; N=No; A=Abstain; At=Absent | | | | | |
| Hughes | Y | Scarcia | Y | Shipp | Y | Stemple | Y | Strange | Y | Zappa | Y |

6 ayes, motion passes.

**ORDINANCE 2015-30
BOROUGH OF HIGH BRIDGE
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

ENGINE BRAKING ORDINANCE

| | | | | | | | | | | | |
|-----------------|--|--|--|--|--|--|--|--|--|--|--|
| <i>PURPOSE:</i> | <i>To prohibit engine braking on <u>Borough Maintained</u> roads that affects the quality of life of residents in various sections of the Borough.</i> | | | | | | | | | | |
|-----------------|--|--|--|--|--|--|--|--|--|--|--|

14. DISCUSSION ITEMS:

A. Borough Hall:

Councilman Zappa spoke about the received bids and modification and cost of the new designs. Discussion ensued. Councilman Stemple asked if money was set aside for unexpected issues. Councilman Zappa responded that there is not. Councilwoman Scarcia asked if the floor plan document is available. Councilman Zappa responded that it is available and that not much has changed but that it is not attached to the Police Department. Councilwoman Shipps asked about liability of a resident being hit by an emergency vehicle. Administrator Gregory said that the policy is the same as now and that signs may be posted.

| | | | | | | | | | | | |
|--|---|---------|---|--------|---|-----------------------------------|---|---------|---------|-------|---|
| Motion to Approve Resolution 187-2015: | | | | Zappa | | Second: | | | Strange | | |
| Roll Call Vote | | | | | | Y=Yes; N=No; A=Abstain; At=Absent | | | | | |
| Hughes | Y | Scarcia | N | Shipps | N | Stemple | Y | Strange | Y | Zappa | Y |

4 ayes, 2 no's, motion approved.

15. PUBLIC COMMENTS:

It is the policy of the Borough Council that all public comments on an issue shall be limited to one minute (1) per person. No debating between residents. Comments should be addressed to Mayor and Council at the public microphone.

Sally Ward asked if the new building needs a safe? Administrator Gregory says that a new safe is not needed. Sally asked if the old Borough Hall building needs to go out to auction. Council replied yes and discussed the details of how this occurs.

Christina Whited asked if we received information from realtors about the value of the current Borough Hall building. Mayor Desire stated that our information is from 2008 and agreed that we should get more updated information.

16. LEGAL ISSUES: Attorney Goodman gave an update on Clinton Township sewerage issue. Mr. Goodman gave a synopsis of the issue and noted that he is pushing for arbitration but that Clinton is opposed to this.

17. BILL LIST:

Approval of Bills as signed and listed on the Bill Payment List.

Total Amount: \$ 473,948.64

| | | | | | | | | | | | | | | | |
|--------------------|---|---------|---|--------|---|---------|---|-----------------------------------|---|-------|---|---------|--|--|--|
| Motion to Approve: | | | | Zappa | | | | Second: | | | | Strange | | | |
| Roll Call Vote | | | | | | | | Y=Yes; N=No; A=Abstain; At=Absent | | | | | | | |
| Hughes | Y | Scarcia | Y | Shipps | Y | Stemple | Y | Strange | Y | Zappa | Y | | | | |

Councilwoman Shipps abstains from any matter Police related.
 Councilman Stemple abstains from any matter Fire Department related.
 6 ayes, motion passes

18. EXECUTIVE SESSION: Contract Negotiations Hatch Mott, Legal Advice OPRA Solitude Village, Architect, and legal advice for the Solitude Village water tower

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|---|---|---------|---|--------|---|---------|---|-----------------------------------|---|-------|---|---------|--|--|--|
| Motion to amend Executive Session to include legal advice for Solitude Village Water Tower: | | | | Zappa | | | | Second: | | | | Strange | | | |
| Roll Call Vote | | | | | | | | Y=Yes; N=No; A=Abstain; At=Absent | | | | | | | |
| Hughes | Y | Scarcia | Y | Shipps | Y | Stemple | Y | Strange | Y | Zappa | Y | | | | |

6 ayes, motion passes.

**RESOLUTION
 BOROUGH OF HIGH BRIDGE
 COUNTY OF HUNTERDON, STATE OF NEW JERSEY
 AUTHORIZATION TO MEET IN EXECUTIVE SESSION**

NUMBER: 188E-2015 **ADOPTED: September 10, 2015**

WHEREAS, the Mayor and Council of the Borough of High Bridge seek legal advice on regarding OPRA Request made by Solitude Village regarding Water Take Over Agreement and Contract Discussions with Hatch Mott Macdonald, and such other issues as are announced during the open session of the Council Meeting on September 10, 2015 that can be discussed in Executive Session; and

WHEREAS, pursuant to the provisions of N.J.S.A. 10:4-12b, matters concerning personnel, pending litigation, contracts and land acquisition may be discussed in sessions from which members of the public may be excluded; and

WHEREAS, the Mayor and Council are of the opinion that such discussions should, in the best interest of the citizens of the Borough of High Bridge, be held in Executive Session.

WHEREAS, the executive session minutes will be released if and as required by law, including as to (1) pending or anticipated contract negotiations in which the Borough is or may become a party, the purchase, lease or acquisition of real property, and the setting of banking rates or investment of public funds, after the contract is signed or it is clear that negotiations will not resume, (2) pending or anticipated litigation, after the conclusion of the lawsuit in which the Borough is or may become a party, including the time for any appeals, or, if no lawsuit is filed, after the statute of limitations has run on the issue or it is otherwise clear that no lawsuit will be filed, (3) tactics and techniques utilized in protecting the safety and property of the public, if the disclosure would not impair such protection, and (4) matters that would impair the right to receive funds from the US Government if and when the impairment no longer exists. The Borough does not anticipate that executive session minutes covered by the following sections of the Open Public Meetings Act will be released: N.J.S.A. 10:4-12b(1)(information rendered confidential by State or Federal statute), b(3)(material constituting an unwarranted invasion of privacy), b(7)(advice falling within the attorney-client privilege), b(8)(certain employment matters, unless the affected employees or appointees request the release in writing) and b(9)(deliberations regarding the imposition of specific civil penalties)."

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of High Bridge, in the County of Hunterdon and State of New Jersey as follows:

1. The general public shall be excluded from the discussions in these matters pursuant to the provisions of N.J.S.A. 10:4-12B.
2. Matters discussed in Executive Session shall, when appropriate, be made public.
3. It is anticipated that formal action may be taken following this Executive Session.

ATTEST:


 Adam Young
 Deputy Municipal Clerk


 Mark Desire
 Mayor

| ROLL CALL VOTE | | | | | |
|----------------------|------|--------|-----|----|----------------|
| COUNCIL MEMBER | Move | Second | Yes | No | Abstain/Absent |
| Mayor Desire | - | - | - | - | - |
| Councilwoman Hughes | | | X | | |
| Councilwoman Scarcia | | | X | | |
| Councilwoman Shipps | | X | X | | |
| Councilman Stemple | | | X | | |
| Councilman Strange | X | | X | | |
| Councilman Zappa | | | X | | |

| | | | | | | | | | | | |
|-----------------------------------|---------|---------|---|---------|---|-----------------------------------|--------|---------|---|-------|---|
| Motion to Return to Open Session: | Strange | | | Second: | | | Shipps | | | | |
| Roll Call Vote | | | | | | Y=Yes; N=No; A=Abstain; At=Absent | | | | | |
| Hughes | Y | Scarcia | Y | Shipps | Y | Stemple | Y | Strange | Y | Zappa | Y |

19. ADJOURNMENT:

Mayor Desire or presiding officer asks if there is any further business.

| | | | | | | | | | | | |
|--------------------|---------|---------|---|---------|---|-----------------------------------|---------|---------|---|-------|---|
| Motion to Adjourn: | Stemple | | | Second: | | | Strange | | | | |
| Roll Call Vote | | | | | | Y=Yes; N=No; A=Abstain; At=Absent | | | | | |
| Hughes | Y | Scarcia | Y | Shipps | Y | Stemple | Y | Strange | Y | Zappa | Y |

Next Council Meeting, September 24, 2015 REGULAR MEETING, 7:30PM, Fire House, 7 Maryland Ave., High Bridge, NJ.

EXECUTIVE SESSION ITEMS: (space for members of council and clerk to take notes on each item)